

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

IRON WORKERS' MID-AMERICA	)	
PENSION PLAN, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	CIVIL ACTION
	)	
vs.	)	NO. 19 C 1767
	)	
DIVISION 5 CONSTRUCTION	)	JUDGE MATTHEW F. KENNELLY
COMPANY, an Indiana corporation,	)	
	)	
Defendant.	)	

**MOTION FOR ENTRY OF JUDGMENT**

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on May 2, 2019, request this Court enter judgment against Defendant, DIVISION 5 CONSTRUCTION COMPANY, an Indiana corporation. In support of this Motion, Plaintiffs state:

1. On May 2, 2019, this Court entered default against Defendant and granted Plaintiffs' request for an order directing an audit of the Defendant's payroll books and records. The Court also entered an order that judgment would be entered after the completion of the audit.

2. On August 14, 2019, Plaintiffs' auditors completed the audit. The audit findings show that the Defendant is delinquent in contributions to the Funds in the amount of \$3,668.28, plus \$1,076.79 for liquidated damages. (See Affidavit of Paul E. Flasch Par. 6).

3. Plaintiffs' auditing firm of Legacy Professionals, LLP charged Plaintiffs \$1,349.00 to perform the audit examination and complete the report and the Funds are entitled to recover said fees under their Trust Agreements (Flasch Aff. Par. 7).

4. In addition, Plaintiffs' firm has expended \$460.00 for costs and \$1,985.00 for attorneys' fees in this matter. (See Affidavit of Catherine M. Chapman).

5. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$8,539.07.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$8,539.07.

/s/ Patrick N. Ryan

Patrick N. Ryan  
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### **CERTIFICATE OF SERVICE**

The undersigned, an attorney of record, hereby certifies that he electronically filed the foregoing document (Motion for Entry of Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 3rd day of October 2019:

Mr. Robert Barnett, Registered Agent/President  
Division 5 Construction Company  
3104 Grand Trunk Road, Unit #11B  
Valparaiso, IN 46383-9144

Mr. Robert Barnett, Registered Agent/President  
Division 5 Construction Company  
2656 Mariestad Drive  
Valparaiso, IN 46385-2898

/s/ Patrick N. Ryan \_\_\_\_\_

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